

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re: FLETCHER INTERNATIONAL, LTD. Debtor
ALPHONSE FLETCHER, JR., (<i>pro se</i>) Appellants, v. RICHARD J. DAVIS, ESQ. Appellees

Chapter 11

Case No. 12-12796 (RBG)

*On Appeal from the United States Bankruptcy Court for the Southern
District of New York (Hon. Robert E. Gerber)*

NOTICE OF APPEAL BY ALPHONSE FLETCHER, JR.,
TO THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF NEW YORK

**NOTICE OF APPEAL APPROVING THE SETTLEMENT AGREEMENT BETWEEN
FLETCHER INTERNATIONAL, LTD. AND CREDIT SUISSE**

Notice is hereby given that, pursuant to 28 U.S.C. §§ 158 (a) and 158(d)(1) & 1291 and Federal Rule of Appellate Procedure 3(a)(1), Alphonse Fletcher, Jr. (*pro se*), appellant in the above-captioned action, hereby appeals to the United States District Court for the Southern District of New York from the Bankruptcy Order Approving the Settlement Agreement Between Fletcher International, Ltd. and Credit Suisse signed on October 16, 2014 (Docket 648).

A true and correct copy of the October 16, 2014 Order is attached hereto as Exhibit "A"

Dated: October 28, 2014

Respectfully Submitted,

ALPHONSE FLETCHER, JR.

By: 

Alphonse Fletcher Jr.

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San Francisco, CA 94105

Phone: (415) 702-0070

Email: AFletcher@Fletcher.com

FILED
U.S. DISTRICT COURT
2014 OCT 29 P 3:28
S.D. OF N.Y.

CERTIFICATE OF SERVICE

I certify that on June 25, 2014, I served the foregoing motion via UPS Express, the CM/ECF Electronic Filing system, or electronic mail on the following:

Office of The United States Trustee U.S. Federal Office Building 201 Varick Street, Suite 1006 New York, NY 10014 Richard C. Morrissey, Esq. Richard.Morrissey@usdoj.gov
Richard J. Davis, Esq. 415 Madison Ave. 11th Floor New York, NY 10017 richard.davis@rjdavislaw.com
Chapter 11 Trustee LUSKIN, STERN & EISLER LLP Eleven Times Square 8th Ave. & 41st St. New York, NY 10036 Michael Luskin, Esq. luskin@lsellp.com Stephan Hornung hornung@lsellp.com Counsel to the Chapter 11 Trustee

Dated: October 28, 2014

Respectfully Submitted,

ALPHONSE FLETCHER, JR.

By: 

Alphonse Fletcher Jr.
Address: 188 Minna Street
San Francisco, CA 94105
Phone: (415)702-0070
Email: AFletcher@Fletcher.com

EXHIBIT A

UNITED STATES BANKRUPTCY COURT
 SOUTHERN DISTRICT OF NEW YORK

-----X	
In re:	: Chapter 11
	: :
FLETCHER INTERNATIONAL, LTD.,	: Case No. 12-12796 (REG)
	: :
Debtor.	: :
	: :
-----X	

**ORDER PURSUANT TO BANKRUPTCY RULE 9019(A)
 APPROVING THE SETTLEMENT AGREEMENT BETWEEN
FLETCHER INTERNATIONAL, LTD. AND CREDIT SUISSE**

Upon the motion (the “**Motion**”) of Richard J. Davis, the Plan Administrator and former Chapter 11 Trustee of Fletcher International, Ltd. (the “**Trustee**”), for entry of an order pursuant to Bankruptcy Rule 9019(a) approving the Settlement Agreement (the “**Settlement Agreement**”) between Fletcher International, Ltd. (“**FILB**”) and Credit Suisse Securities (USA) LLC (“**Securities USA**”) and its current and future subsidiaries, parents and affiliates including, without limitation, Credit Suisse Securities (Europe) Limited (“**Securities Europe**” and, together with the foregoing entities, “**Credit Suisse**”); and it appearing that the Court has jurisdiction to consider the Motion pursuant to 28 U.S.C. §§ 157 and 1334; and it appearing that venue of this chapter 11 case and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that this matter is a core proceeding pursuant to 28 U.S.C. § 157(b); and the Court having considered the Motion, and considered and rejected the written objections of Stewart Turner and Alphonse Fletcher, Jr.; and the Court having held a hearing on October 15, 2014 (the “**Hearing**”); and the Court having determined that the relief requested in the Motion is in the best interests of the Debtor and its estate, creditors, investors and other parties-in-interest; and it appearing that proper and adequate notice of the Motion has been given and that no other or further notice is necessary; and after due deliberation thereon; and good and

sufficient cause appearing therefor; and upon the record of these proceedings and the entire record of the case; and for all of the reasons stated on the record at the Hearing;

IT IS HEREBY ORDERED THAT:

1. Subject to the terms and conditions of this Order, the Motion is granted.
2. There being no disputed issues of material fact, Stewart Turner's request for an evidentiary hearing is denied.
3. Pursuant to Bankruptcy Rule 9019(a), the Settlement Agreement, annexed to the Motion as Exhibit B, is hereby approved in its entirety.
4. The Plan Administrator's entry into and performance of all of his obligations under the Settlement Agreement is approved.
5. The Plan Administrator is authorized to execute any and all agreements, instruments, and documents, and shall take such further actions in good faith as may be necessary to fully effectuate the terms of the Settlement Agreement.
6. The Court having considered and rejected the wisdom of imposing a stay of this Order, the terms and conditions of this Order shall be immediately effective and enforceable from the date of this Order. Any motion seeking to stay the effect of this Order shall be made to the District Court for the Southern District of New York.
7. To the extent that the Motion is inconsistent with this Order, the terms of this Order shall govern.
8. The Court shall retain jurisdiction with respect to all matters arising from or related to the Settlement Agreement and this Order.

Dated: New York, New York
October 16, 2014

s/ Robert E. Gerber
HONORABLE ROBERT E. GERBER
UNITED STATES BANKRUPTCY JUDGE